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BLAIR *v.* COMMONWEALTH.

Nov. 15, 1917.

[94 S. E. 185.]

Intoxicating Liquors (§ 208*)—Offenses—Indictment—Time of Offense.—An indictment charging that defendant within a year prior to finding the indictment unlawfully had in his possession two quarts of whisky is bad; such act not having been an offense till three months before the finding of the indictment.

[Ed. Note.—For other cases, see 8 Va.-W. Va. Enc. Dig. 26.]

Error to Circuit Court, Clarke County.

Henry Blair was convicted, and brings error. Reversed.

A. Moore, Jr., & Son, of Berryville, for plaintiff in error.

The Attorney General, for the Commonwealth.

KENNAN *v.* COMMONWEALTH.

Nov. 15, 1917.

[94 S. E. 186.]

Intoxicating Liquors (§ 208*)—Offenses—Indictment—Time.—An indictment charging that within a year next prior to its finding, defendant unlawfully gave away ardent spirits, having been found within three months after the going into effect of the prohibition law, prior to which the act charged was not necessarily unlawful, is insufficient.

[Ed. Note.—For other cases, see 8 Va.-W. Va. Enc. Dig. 26.]

Error to Circuit Court, Clarke County.

James Kennan was convicted, and brings error. Reversed and rendered.

A. Moore, Jr., & Son, of Berryville, for plaintiff in error.

The Attorney General, for the Commonwealth.

VIRGINIA-WESTERN POWER CO. *v.* KFSSINGER et al. (two cases).

Nov. 15, 1917.

[94 S. E. 186.]

1. Eminent Domain (§ 231*)—Condemnation Proceedings—Instructions to Commissioners.—In eminent domain proceedings, Code 1904, § 1105f, subsec. 6, is sufficiently specific as to the duties of commissioners, and if the orders of the court appointing the commission-

*For other cases see same topic and KEY-NUMBER in all Key-Numbered Digests and Indexes.